

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

In re: KRIS ROGLIERI, Debtor  
Chapter 7 Case No. 24- 10157- REL

2025 MAY -5 AM 11:18

CLERK OF THE  
BANKRUPTCY COURT  
N.D. OF NY

**DECLARATION OF KRIS ROGLIERI RE: DELAYED SCHEDULE C  
FILING AND TRUSTEE MISCONDUCT**

**TO: THE HONORABLE ROBERT E. LITTLEFIELD, JR., UNITED STATES  
BANKRUPTCY JUDGE:**

I, Kris Roglieri, respectfully submit this declaration in support of my Schedule C and to address the wrongful seizure and sale of personal property by the Trustee prior to my ability to claim lawful exemptions.

1. I am the debtor in this Chapter 7 case and have been incarcerated throughout the entirety of these proceedings. Due to my incarceration and pro se status, I have been unable to access my property or legal resources in a timely manner.
2. I have now completed my Schedule C exemptions. I am only filing this at this time due to a lack of access to legal assistance, computer use, or court communications while in custody. I did not waive my right to claim exemptions under 11 U.S.C. § 522.
3. The Chapter 7 Trustee, Christian Dribusch, made no meaningful effort to coordinate with me or provide a reasonable opportunity to identify and claim exempt personal property. Instead, the Trustee entered my residence, seized property, and sold items—including household goods, bedroom furniture, and daily-use appliances—without waiting for me to submit my Schedule C.
4. Among the items taken or sold prematurely were a master bedroom set (bed and matching dressers) valued at approximately \$20,000, which was sold for only \$340 at auction; multiple rugs and living room furniture; kitchen appliances; and potentially the washer and dryer, which I have not been able to locate. The Trustee is also now attempting to include the refrigerator—clearly a daily-use household item—in the sale of the residence, even though that item is exempt under New York law.
5. Many of these items were not luxury or decorative—they were essential, daily-use household property. While the Court granted the Trustee limited authority to sell certain assets, he exceeded that authority by disposing of exemptible property before exemptions were claimed.
6. I respectfully request that the Court allow me to file my Schedule C now, retroactively protect the listed property, and—if already sold—direct either the turnover of unsold items or monetary credit for exempt property that was wrongfully disposed of. **I further object to including the refrigerator and washer/dryer in the real estate sale, as they are daily-use items and fall under New York's personal property exemption.**

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

**Dated:** May 5, 2025

**Respectfully submitted,**

**Kris D. Roglieri**

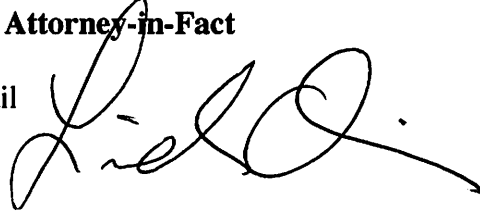
**By: Linda Oliver, as Attorney-in-Fact**

N-4 #45131

Rensselaer County Jail

4000 Main Street

Troy, NY 12180

A handwritten signature in black ink, appearing to read "Linda Oliver", is written over the typed name and address.

Fill in this information to identify your case:

Debtor 1	<u>Kris Daniel Roglieri</u>		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: Northern District of New York			
Case number (If known)	<u>24-10157-1</u>		

☐ Check if this is an amended filing

## Official Form 106C

# Schedule C: The Property You Claim as Exempt

04/22

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

### Part 1: Identify the Property You Claim as Exempt

1. Which set of exemptions are you claiming? Check one only, even if your spouse is filing with you.

- ☒ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)  
☐ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own  Copy the value from <i>Schedule A/B</i>	Amount of the exemption you claim  Check only one box for each exemption.	Specific laws that allow exemption
Brief description: <u>Primary Residence</u> Line from <i>Schedule A/B</i> : <u>1</u>	<u>\$1,519,700</u>	<input checked="" type="checkbox"/> \$ <u>89,975</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	<u>CPLR5206(a)</u> :
Brief description: <u>2019 Mercedes G63</u> Line from <i>Schedule A/B</i> : <u>3</u>	<u>\$100,000</u>	<input checked="" type="checkbox"/> \$ <u>4,825</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	<u>282(1)</u> :
Brief description: <u>Beds</u> Line from <i>Schedule A/B</i> : <u>6</u>	<u>\$15,000</u>	<input checked="" type="checkbox"/> \$ <u>15,000</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	<u>DCL282(1)</u> :

3. Are you claiming a homestead exemption of more than \$189,050?

(Subject to adjustment on 4/01/25 and every 3 years after that for cases filed on or after the date of adjustment.)

- ☒ No  
☐ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?  
☐ No  
☐ Yes

Debtor 1

First Name

Middle Name

Last Name

**Part 2: Additional Page**

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own	Amount of the exemption you claim	Specific laws that allow exemption
	Copy the value from Schedule A/B	Check only one box for each exemption	
Brief description: <u>Stove</u> Line from Schedule A/B: <u>6</u>	\$ <u>500</u>	<input checked="" type="checkbox"/> \$ <u>500</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	DCL282(1)
Brief description: <u>Refrigerator</u> Line from Schedule A/B: <u>6</u>	\$ <u>500</u>	<input checked="" type="checkbox"/> \$ <u>500</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	DCL282(1)
Brief description: <u>Microwave</u> Line from Schedule A/B: <u>6</u>	\$ <u>200</u>	<input checked="" type="checkbox"/> \$ <u>200</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	DCL282(1)
Brief description: <u>Chairs</u> Line from Schedule A/B: <u>6</u>	\$ <u>3,000</u>	<input checked="" type="checkbox"/> \$ <u>3,000</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	DCL282(1)
Brief description: <u>Kitchen Table</u> Line from Schedule A/B: <u>6</u>	\$ <u>3,000</u>	<input checked="" type="checkbox"/> \$ <u>3,000</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	DCL282(1)
Brief description: <u>Dinning Room Table</u> Line from Schedule A/B: <u>6</u>	\$ <u>3,000</u>	<input checked="" type="checkbox"/> \$ <u>3,000</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	DCL282(1)
Brief description: <u>Buffet Chest</u> Line from Schedule A/B: <u>6</u>	\$ <u>1,509</u>	<input checked="" type="checkbox"/> \$ <u>1,509</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	DCL282(1)
Brief description: <u>China Cabiet</u> Line from Schedule A/B: <u>6</u>	\$ <u>2,000</u>	<input checked="" type="checkbox"/> \$ <u>2,000</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	DCL282(1)
Brief description: <u>Couches</u> Line from Schedule A/B: <u>6</u>	\$ <u>2,000</u>	<input checked="" type="checkbox"/> \$ <u>2,000</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	DCL282(1)
Brief description: <u>Dressers</u> Line from Schedule A/B: <u>6</u>	\$ <u>5,000</u>	<input checked="" type="checkbox"/> \$ <u>5,000</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	DCL 282(1)
Brief description: <u>Office Desk</u> Line from Schedule A/B: <u>6</u>	\$ <u>1,500</u>	<input checked="" type="checkbox"/> \$ <u>1,500</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	DCL282(1)
Brief description: <u>Clothes</u> Line from Schedule A/B: <u>11</u>	\$ <u>200,000</u>	<input checked="" type="checkbox"/> \$ <u>200,000</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	DCL282(1)